Whistleblowing Policy

Oxford Schools Chaplaincy

Introduction

This document explains the types of concerns that can be raised under this procedure, the legal protection for whistleblowers and how whistleblowing concerns will be handled. This procedure should be followed for any whistleblowing matters raised by employees of OSC but is also available for volunteers too. The term Director is used throughout, but should the Director be subject to these procedures, it will be managed by the Chair of the Trustees, or another Trustee appointed by him.

Policy Statement

Oxford Schools Chaplaincy (OSC) is committed to the highest possible standards of openness, integrity and accountability. In line with that commitment, we encourage employees and volunteers with serious concerns about any aspect of the Trust's work to come forward and express those concerns, without fear of disadvantage or reprisals, even if the concerns turn out to be mistaken.

Aim of procedure

- To encourage those working with OSC to report suspected wrongdoing promptly, in the knowledge that it will be taken seriously.
- To provide guidance on how to raise concerns.
- To reassure staff and volunteers that they are able to raise genuine concerns made in the public interest without fear of reprisals, even if they turn out to be mistaken.

What is Whistleblowing?

Whistleblowing is when a worker reports certain types of wrongdoing or misconduct within an organisation. The wrongdoing disclosed must be in the public interest. This means it must affect others, e.g. pupils, general public.

The wrongdoing must relate to or show one of the following:

- a criminal offence
- a failure to comply with a legal obligation
- a possible miscarriage of justice
- a Health & Safety risk
- damaging the environment
- misuse of public money
- corruption or unethical conduct
- abuse of pupils, students or other users
- deliberate concealment of any of these matter
- any other substantial and relevant concern.

The concern could be about something that happened in the past, is currently happening or likely to happen in the future.

Concerns or complaints that employees wish to raise formally, about their own employment, should normally be raised using a Grievance Procedure[2], unless the employee believes the concern is in the public interest. This includes for example, concerns related to working conditions, working relations, employment rights or bullying or harassment.

Protection for whistleblowers

- Whistleblowers are protected by law from being treated unfairly or losing their jobs because they 'blow the whistle'.

- Whistleblowers must hold a reasonable belief that the concern they are raising is in the public interest.

- OSC will provide all reasonable protection for those who raise concerns made in the public interest.

- OSC will be responsible for ensuring that appropriate personal support is offered both to an employee or volunteer raising a concern and to any worker/volunteer against whom allegations have been made under this procedure.

- Although an employee has certain legal obligations of confidentiality, in a limited set of circumstances, whistleblowing may override these obligations. This guidance sets out the circumstances under which these disclosures may lawfully be made.

- If an employee raises a concern in good faith but it is not subsequently confirmed by investigation, no action will be taken against them. If, however, an employee or volunteer raises a concern frivolously, maliciously or for personal gain, disciplinary action may be taken against them.

Procedure for raising a whistleblowing concern

- Whistleblowing anonymously or confidentially
- Concerns can be raised anonymously, but the person receiving the allegation may not be able to take the matter further if they haven't been provided with all the information they need.
- Whistleblowers can give their name but request confidentiality and, in these circumstances, every effort will be made to protect their identity.
- All disclosures made under this procedure will be treated sensitively, consistently and fairly.

Step 1

Deciding to whom to report the concern

Concerns can be raised verbally or in writing.

You can raise your concern with the Volunteers' Administrator. Alternatively, you can raise the matter with the Director, Hemara Earl, the Chair of Trustees, Kenneth MacRitchie or any of our Trustees listed in Annexe 1.

If you wish to report the matter to someone outside OSC you can contact one of the external bodies/organisations listed in Annexe 2.

Reporting concerns to the media, in most cases will lead to the loss of your whistleblowing law rights.

Although you are not expected to prove beyond doubt the truth of your concerns, you will need to demonstrate that you have sufficient evidence or other reasonable grounds to raise them.

You may wish to obtain advice from the Citizen's Advice Bureau or Protect (formerly Public Concern at Work) on 020 7404 6609 or www.protect-advice.org.uk

You can be accompanied by a colleague or trade union representative to any meetings that are required.

Step 2

The person with whom you have raised your concern, will decide what action is needed. They may ask you to provide further information. They will write to you within 10 days to let you know how your concern will be dealt with.

The information you can expect to receive is:

- an indication of how the concern will be dealt with
- an estimate of how long it will take to provide a final response
- whether any initial enquiries have been mad
- whether further investigations will take place, and if not, why not
- information about support available for you

The person with whom you have raised your concern will at the same time notify the OSC Chair of Trustees, or another Trustee, should the Chair be involved the allegation, that a whistleblowing allegation has been made.

Step 3

Initial enquiries will be made to decide whether an investigation is appropriate.

An investigation may be carried out, depending on the nature of the allegations and the evidence/information presented. Full details of the investigation may be withheld from you to protect the confidentiality of other people.

Information will need to be passed on to those with a legitimate need to have this information and it may be necessary for you to provide a written statement and act as a witness in any subsequent disciplinary proceedings or enquiry. This will be discussed with you first.

Where an investigation is necessary, it may take the form of one or more of the following:

- an internal investigation by the ~~Co-~~Director, and/or Trustee, which will always take into account whether the reported incident breaches any of the OSC guidelines or whether the guidelines themselves are at fault
- an investigation by the Finance team which could include an internal audit review
- a referral to the Police
- the setting up of an external independent inquiry

Step 4

You will be informed of the outcome of any investigation, in writing, and/or of any action taken, subject to the constraints of confidentiality and the law.

If you are not satisfied that your concern has been addressed through the internal process, you may raise the matter with an appropriate external body. This may include, where relevant, a regulator, professional body, or prescribed organisation such as those listed in Annex 2.

In exceptional circumstances, where you believe the matter is so serious that it cannot reasonably be raised through the channels set out in this policy, you may raise it with another appropriate external body. You may also seek independent advice from organisations such as Protect (formerly Public Concern at Work). However, disclosures made outside prescribed organisations may not be protected under the Public Interest Disclosure Act 1998.

You have a duty not to disclose confidential information. This does not prevent you from seeking independent advice at any stage, including from Protect (formerly Public Concern at Work), in accordance with the provisions of the Public Interest Disclosure Act 1998.

This policy will be reviewed every two years, or sooner if required due to changes in legislation, statutory guidance or organisational practice' so it further strengthens flexibility for any safeguarding updates (KCSIE or DBS).

Annexe 1

The Board of Trustees

Kenneth MacRitchie	Chair	
Frances Down	Treasurer	treasurer@oxfordschoolschaplaincy.org
Moira Dorey	Safeguarding Lead	Moira.dorey@oxfordschoolschaplaincy.org
Mandy Myatt		
Martin Thornley		

Email: trustees@oxfordschoolschaplaincy.org

Annexe 2

External Bodies and Organisations

You can raise a whistleblowing concern externally rather than through OSC staff. There are a number of prescribed bodies you may contact depending on the nature of your concern. Please choose the most appropriate organisation for your issue.

Charity Commission for England and Wales

The regulator for charities in England and Wales.
www.gov.uk/government/organisations/charity-commission

National Society for the Prevention of Cruelty to Children (NSPCC)

The NSPCC Whistleblowing Advice Line is for anyone with child protection concerns in the workplace. The helpline provides support and advice to those who feel unable to raise a child protection concern with their employer. It can be contacted anonymously on 0800 028 0285.
www.nspcc.org.uk

Health and Safety Executive (HSE)

The regulator for health and safety at work.
www.hse.gov.uk
Tel: 0300 003 1647

Information Commissioner's Office

The regulator for data protection and freedom of information.
Wycliffe House
Water Lane
Wilmslow
SK9 5AF
www.ico.org.uk
Email: casework@ico.org.uk
Tel: 0303 123 1113